

Message

From: Lambert, Wesley [Lambert.Wesley@epa.gov]
Sent: 4/2/2019 6:09:29 PM
To: Allenbach, Becky [Allenbach.Becky@epa.gov]; Laycock, Kelly [Laycock.Kelly@epa.gov]; Purify, Johnnie [Purify.Johnnie@epa.gov]
CC: McGill, Thomas [Mcgill.Thomas@epa.gov]
Subject: RE: FL state profile needs update

This issue has been updated in the Florida State Profile.

Wesley

From: Allenbach, Becky
Sent: Tuesday, April 2, 2019 1:49 PM
To: Laycock, Kelly <Laycock.Kelly@epa.gov>; Purify, Johnnie <Purify.Johnnie@epa.gov>
Cc: Lambert, Wesley <Lambert.Wesley@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>
Subject: RE: FL state profile needs update

Thank you.

Wesley, please add

Becky B. Allenbach, Deputy Director
Water Protection Division
EPA Region 4
Office 404-562-9687
Cell Ex. 6 Personal Privacy (PP)

From: Laycock, Kelly
Sent: Tuesday, April 2, 2019 1:10 PM
To: Purify, Johnnie <Purify.Johnnie@epa.gov>
Cc: Lambert, Wesley <Lambert.Wesley@epa.gov>; Allenbach, Becky <Allenbach.Becky@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>
Subject: RE: FL state profile needs update

404 Assumption (Water) 404 Assumption (Water)

- We continue to actively support the state in its efforts towards 404 assumption. EPA holds biweekly calls with FDEP to discuss the state's progress in developing a submittal package, and meets approximately every two months with FDEP in Tallahassee. The next in-person meeting is to be scheduled, as FDEP staff indicate may be more productive after the new governor has established his priorities for FDEP.
- Key outstanding issues include FDEP rulemaking, preparation and review of request package elements that have not been provided by FDEP in draft, ESA in permit reviews, and completion of the FDEP-Corps MOA.
- Before making their assumption request, Florida must pass a rule that will set up required program elements. The Florida rulemaking timeline and possible legal challenges to that rulemaking are currently driving the timeline.
- FDEP have given EPA staff no indication of an approximate timeline for submission of package requesting state assumption of CWA 404 program administration as they are awaiting direction from the new governor to establish his priorities for FDEP

- Upon receipt of a complete request package, EPA's statutory review (up to 120 days) must include a public hearing, a 45-day public comment period, and consideration of comments received from the public, USACE, USFWS, and NMFS.

Kelly Laycock
Wetlands Regulatory Section
U.S. Environmental Protection Agency
61 Forsyth St.
Atlanta GA, 30303
phone 404 562 9132

From: Purify, Johnnie
Sent: Tuesday, April 2, 2019 12:52 PM
To: Laycock, Kelly <Laycock.Kelly@epa.gov>
Cc: Lambert, Wesley <Lambert.Wesley@epa.gov>; Allenbach, Becky <Allenbach.Becky@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>
Subject: RE: FL state profile needs update

Hello Kelly,

Please update the "FL Assumption" bullets below and CC all with your replay.

Thank you Sir,

//JDP//

Johnnie Purify, Commander, USPHS
U.S. Environmental Protection Agency, Region 4
Acting Chief, Wetlands and Stream Regulatory Section
Purify.Johnnie@epa.gov
404-562-9298



"Leadership is what you do with people, not to them."

~Ken Blanchard

From: Allenbach, Becky
Sent: Tuesday, April 2, 2019 10:29 AM
To: Purify, Johnnie <Purify.Johnnie@epa.gov>
Cc: Lambert, Wesley <Lambert.Wesley@epa.gov>
Subject: FL state profile needs update

Johnnie: This is in the FL state profile. I think it could stand update. Can you do that and send it back to us please?

404 Assumption (Water) 404 Assumption (Water)

- We continue to actively support the state in its efforts towards 404 assumption. EPA holds biweekly calls with FDEP to discuss the state's progress in developing a submittal package, and meets approximately every two months with FDEP in Tallahassee. The next in-person meeting is to be scheduled, and may happen mid-December or January 2019.
- Key outstanding issues include FDEP rulemaking, preparation and review of request package elements that have not been provided by FDEP in draft, ESA in permit reviews, and completion of the FDEP-Corps MOA.
- Before making their assumption request, Florida must pass a rule that will set up required program elements. The Florida rulemaking timeline and possible legal challenges to that rulemaking are currently driving the timeline.
- FDEP informed EPA staff that they may submit a package requesting state assumption of CWA 404 program administration in mid-December or January, but that post-election actions such as a freeze on rulemaking could affect this schedule.
- Upon receipt of a complete request package, EPA's statutory review (up to 120 days) must include a public hearing, a 45-day public comment period, and consideration of comments received from the public, USACE, USFWS, and NMFS.

Becky B. Allenbach, Deputy Director
Water Protection Division
EPA Region 4
Office 404-562-9687
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